

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

FEB 5 2019

Clerk, U S District Court
District Of Montana
Billings

UNITED STATES OF AMERICA,

CR 18-50-BLG-SPW-1

Plaintiff,

ORDER

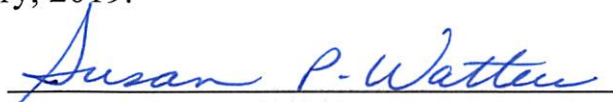
vs.

ANTONIO FRANCISCO
GUTIERREZ,

Defendant.

Before the Court is Defendant Antonio Francisco Gutierrez's Rule 29(c) motion for judgment of acquittal. (Doc. 90). At trial, Gutierrez moved the Court for a judgment of acquittal under Rule 29(a), which the Court denied. (Doc. 75). The Court similarly denies Gutierrez's Rule 29(c) motion because the evidence was sufficient "to allow any rational trier of fact to find the essential elements of the crime beyond a reasonable doubt." *United States v. Goldtooth*, 754 F.3d 763, 768 (9th Cir. 2014) (citing Fed. R. Crim. P. 29(c)).

DATED this 4th day of February, 2019.


SUSAN P. WATTERS
United States District Judge